UNITED
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Security Council

Distr.
GENERAL

S/23564
10 February 1992

ORIGINAL: ENGLISH

LETTER DATED 10 FEBRUARY 1992 FROM THE PERMANENT REPRESENTATIVE OF THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit to you herewith a letter dated 25 December 1991 from Kim Yong Nam, Vice-Premier of the Administration Council and Minister for Foreign Affairs of the Democratic People's Republic of Korea which was sent by facsimile last December in response to the request contained in Security Council resolution 724 (1991).

I should be grateful if you would have this letter and its enclosure circulated as a document of the Security Council.

(Signed) PAK Gil Yon
Ambassador
Permanent Representative

Annex

Letter dated 25 December 1991 from the Vice-Premier of the Administration Council and Minister for Foreign Affairs of the Democratic People's Republic of Korea addressed to the Secretary-General

I acknowledge receipt of the text of resolution 724 (1991) adopted by the Security Council at its meeting on 15 December 1991.

We expect that this resolution will help to settle peacefully the internal disputes in Yugoslavia.

The Government of the Democratic People's Republic of Korea is following with deep apprehension the present situation created in Yugoslavia.

Confirming that there have been no deliveries of any weapons or military equipment to Yugoslavia, I inform you that our country will continue to implement faithfully the relevant resolution of the Security Council.

We hope that the present situation prevailing in Yugoslavia, as internal affairs of its nation, will be settled peacefully through dialogues and negotiations.

I take this opportunity to wish Your Excellency good success in your endeavours and responsibilities for international peace and security.

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GENERAL

S/23565
10 February 1992

ORIGINAL: ENGLISH

NOTE BY THE SECRETARY-GENERAL

1. At the 67th plenary meeting of its forty-sixth session, on 9 December 1991, the General Assembly adopted resolution 46/59 entitled, "Declaration on Fact-finding by the United Nations in the Field of the Maintenance of International Peace and Security". 1/

2. In paragraphs 1, 3 and 4 of the resolution, the General Assembly:

> "1. Approves the Declaration on Fact-finding by the United Nations in the Field of the Maintenance of International Peace and Security, the text of which is annexed to the present resolution;
>
> ...
>
> "3. Requests the Secretary-General to inform the Governments of the States Members of the United Nations or members of specialized agencies, and the Security Council, of the adoption of the Declaration;
>
> "4. Urges that all efforts be made so that the Declaration becomes generally known and fully implemented."

Notes

1/ Not reproduced in the present document; for the full text, see document A/RES/46/59.

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Security Council

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S/23566
10 February 1992
ENGLISH
ORIGINAL: SPANISH

NOTE VERBALE DATED 7 FEBRUARY 1992 FROM THE PERMANENT MISSION OF SPAIN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Mission of Spain to the United Nations presents its compliments to the Secretary-General of the United Nations and, with reference to his note SCPC/2/92(1), dated 28 January 1992, has the honour to inform him that, in accordance with resolution 733 (1992), adopted by the Security Council on 23 January 1992, Spain has not exported weapons or military equipment to Somalia.

92-06031 3205b (E) 100292 100292

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UNITED
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Security Council

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GENERAL

S/23567
7 February 1992
ENGLISH
ORIGINAL: SPANISH

LETTER DATED 30 JANUARY 1992 FROM THE PERMANENT REPRESENTATIVE OF PARAGUAY TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit to you herewith the communiqué issued by the Ministry for Foreign Affairs of the Republic of Paraguay, on 27 January 1992, in which the Government of the Republic of Paraguay recognizes the Republic of Croatia and the Republic of Slovenia as free and independent States.

I should be grateful if you would have the attached text of the statement in question circulated as a document of the Security Council.

(Signed) Hugo SAGUIER-CABALLERO
Ambassador
Permanent Representative

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Annex

Ministry of Foreign Affairs

Recognition of the Republics of Croatia and Slovenia

Today the Government of the Republic of Paraguay recognized the Republic of Croatia and the Republic of Slovenia as free and independent States.

The decision to do so was based on the undertakings made by the Governments of Croatia and Slovenia to ensure that human rights and the rights of the minorities living in their territories are safeguarded, to seek to settle disputes by peaceful means, to fulfil regional and international security commitments, and to reaffirm the principles and norms laid down in the Charter of the United Nations and other international instruments.

The Government of the Republic of Paraguay will establish full diplomatic relations with the Governments of Croatia and Slovenia in due course, in accordance with the principles upon which its foreign policy is based and with its foreign policy goals.

Asunción, 27 January 1992

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S/23568
11 February 1992

ORIGINAL: ENGLISH

NOTE VERBALE DATED 10 FEBRUARY 1992 FROM THE PERMANENT REPRESENTATIVE OF IRELAND TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

With reference to the Secretary-General's Note of 28 January 1992 (SCPC/2/92 (1)), the Permanent Representative of Ireland to the United Nations has the honour to communicate to the Secretary-General the measures undertaken by Ireland to implement Security Council resolution 733 (1992).

In compliance with paragraph 5 of Security Council resolution 733 of 23 January 1992, the necessary measures to enforce the embargo on delivery of all weapons and military equipment to Somalia have been taken by the appropriate Irish authorities on 3 February 1992 in accordance with the Control of Exports Order 1983, issued pursuant to the Control of Exports Act, 1983.

Ireland fully supports the Secretary-General in his endeavours to obtain a cessation of hostilities, a lasting cease-fire and a durable political settlement of the conflict in Somalia.

Ireland has in the past provided humanitarian assistance to the people of Somalia and will continue to do what it can to aid the innocent victims of the conflict. Ireland supports all measures aimed at bringing about conditions which will permit the speedy and safe delivery of relief to those most in need.

92-06184 3081e (E) 110292

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UNITED
NATIONS

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Security Council

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S/23569
11 February 1992

ORIGINAL: ENGLISH

REPORT OF THE COMMITTEE ON THE ADMISSION OF NEW MEMBERS CONCERNING THE APPLICATION OF THE REPUBLIC OF AZERBAIJAN FOR ADMISSION TO MEMBERSHIP IN THE UNITED NATIONS

1. At the 3051st meeting on 11 February 1992, the Security Council had before it the application of the Republic of Azerbaijan (S/23558) for admission to membership in the United Nations. In accordance with rule 59 of the provisional rules of procedure of the Security Council and in the absence of a proposal to the contrary, the President of the Council referred the application to the Committee on the Admission of New Members for examination and report.

2. At its 85th meeting on 11 February 1992, the Committee considered the application of the Republic of Azerbaijan and unanimously decided to recommend to the Security Council that the Republic of Azerbaijan should be admitted to membership in the United Nations.

3. The Committee further decided to recommend to the Security Council that it should have recourse to the provision of the last paragraph of rule 60 of its provisional rules of procedure.

4. Accordingly, the Committee recommends to the Security Council the adoption of the following draft resolution:

The Security Council,

Having examined, the application of the Republic of Azerbaijan for admission to the United Nations (S/23558),

Recommends to the General Assembly that the Republic of Azerbaijan be admitted to membership in the United Nations.

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General Assembly Security Council

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GENERAL

A/46/875
S/23570
11 February 1992
ENGLISH
ORIGINAL: FRENCH

GENERAL ASSEMBLY
Forty-sixth session
Agenda item 33
QUESTION OF PALESTINE

SECURITY COUNCIL
Forty-seventh year

Letter dated 11 February 1992 from the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People addressed to the Secretary-General

In my capacity as Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, I wish to express anguish and outrage at the death of Palestinians in Israeli custody and the systematic use of torture and ill-treatment of Palestinian detainees by the Israeli authorities.

The Palestine Human Rights Information Centre (PHRIC) reported on 5 February 1992 that Mustapha al-Akawi, a 35-year-old Jerusalem resident, died on 4 February, while under interrogation in Hebron Prison in the occupied West Bank. Akawi was detained on 22 January and was brought before the military court in Hebron for extension of detention upon the request of the Shin Beth (Israeli secret service). According to the report, the military judge, after ordering the detention of Akawi for another 8 days (and not for 30 days as requested by the Shin Beth), told Akawi's lawyer, Lea Tsemel, that Akawi had complained of having been beaten during interrogation and had shown the judge deep bruises on both of his arms and shoulders. The lawyer was not permitted to speak with Akawi during the period of his detention or during his court appearances. On 4 February, Akawi's father was summoned to the police station in Jerusalem, and in the father's presence the father's lawyer telephoned Hebron Prison and learned of Akawi's death. The Israeli authorities provided no information on the cause of death.

According to Agence France Presse (AFP), the International Committee of the Red Cross (ICRC) indicated, on 5 February, that it was investigating the circumstances in which Mr. Akawi died in Hebron Prison. The representative of ICRC in Israel told AFP that five prisoners had died after interrogation in that prison since 1989.

On 3 December 1991, PHRIC issued a report documenting "systematic use of torture by electric shock against Palestinian detainees" by the Israelis during interrogation in the Hebron military headquarters. The shocks were applied by thin wires attached to the detainees' heads, necks, arms, legs and genitals. The report concluded that "it is highly unlikely - indeed virtually impossible - that the actions of these interrogators in torturing detainees with electricity were not known by the interrogators' superiors, and possibly others". All the Palestinians interviewed for the report had been subjected to other types of torture, including prolonged beating on various parts of their bodies, threats of execution, and forced witnessing of torture. According to this report, at least 10 Palestinians have died during interrogation since 1987.

In a special report on the military justice system in the occupied territories, Amnesty International concluded, in July 1991, that "the substantial evidence available indicates the existence of a clear pattern of systematic psychological and physical ill-treatment, constituting torture or other forms of cruel, inhuman or degrading treatment, which is being inflicted on (Palestinian) detainees during the course of interrogation".

In March 1991, Betzelem, the Israeli Information Centre on Human Rights in the Occupied Territories, published a report showing that a number of interrogation methods routinely used are prohibited by international human rights instruments, as well as by Israeli laws banning the use of force to extract confessions or information. The report detailed 11 illegal interrogation methods and was based on interviews with 41 Palestinians who had been subjected to such methods. It concluded that the operation of military justice, especially during the intifadah, has undermined the prohibitions and protection afforded by the legal system, particularly through the long periods of incommunicado detention without access to a lawyer and the wide powers given to the Shin Beth, which create a context in which ill-treatment of detainees can go unpunished.

The Committee on the Exercise of the Inalienable Rights of the Palestinian People strongly condemns the use of physical and psychological torture against Palestinian detainees, which is in total violation of Israel's obligations under article 2 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and article 7 of the International Covenant on Civil and Political Rights, which Israel ratified recently, as well as articles 31 and 32 of the Geneva Convention relative to the Protection of Civilian Persons in Time of War.

The Committee therefore urgently appeals to you as well as all those concerned, and in particular the Human Rights Committee and the Committee against Torture, which monitor implementation of the relevant treaties, as well as the High Contracting Parties to the Geneva Convention, to see to it that all the necessary measures are taken in order to ensure that Israel desists forthwith from using illegal methods in its treatment of Palestinian detainees and respects its international obligations.

I should be grateful if you would have the text of this letter circulated as a document of the General Assembly, under agenda item 33, and of the Security Council.

(Signed) Kéba Birane CISSE
Chairman
Committee on the Exercise
of the Inalienable Rights of
the Palestinian People

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Security Council

Distr.
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S/23571
11 February 1992
ENGLISH
ORIGINAL: SPANISH

LETTER DATED 10 FEBRUARY 1992 FROM THE PERMANENT REPRESENTATIVE OF COLOMBIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to refer to your note of 28 January 1992 in which you request information concerning the measures adopted by the Government of Colombia to comply with the provisions of paragraphs 5, 6 and 9 of resolution 733 (1992), adopted by the Security Council on 23 January 1992.

I wish to point out that Colombia does not export any weapons or military equipment and welcomes the adoption of resolution 733 (1992).

Furthermore, the Government of Colombia is stepping up contacts with public and private bodies in Colombia with a view to examining the possibility of contributing to the humanitarian assistance provided by the international community to the population of Somalia.

(Signed) Luis Fernando JARAMILLO
Ambassador
Permanent Representative

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UNITED
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Security Council

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GENERAL

S/23572
11 February 1992

ORIGINAL: ENGLISH

NOTE VERBALE DATED 11 FEBRUARY 1992 FROM THE PERMANENT MISSION OF CYPRUS TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Mission of Cyprus to the United Nations presents its compliments to the Secretary-General of the United Nations and with reference to the latter's note of 28 January 1992 concerning Security Council resolution 733 (1992), has the honour to inform him that the Government of Cyprus, consistent with its policy of fully implementing all United Nations Security Council resolutions, immediately complied with the above-mentioned resolution.

In this connection, the Government of Cyprus wishes also to inform him that the text of the resolution was circulated among the competent public administration departments in order to prevent issuance of any licence for the export of the items in question to Somalia.

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UNITED
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Security Council

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S/23573
11 February 1992
ENGLISH
ORIGINAL: SPANISH

NOTE VERBALE DATED 11 FEBRUARY 1992 FROM THE PERMANENT MISSION OF VENEZUELA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Mission of Venezuela to the United Nations presents its compliments to the Secretary-General of the United Nations and, with reference to his note of 28 January 1992 concerning the implementation of paragraph 6 of Security Council resolution 713 (1991) concerning a general and complete embargo on all deliveries of weapons and military equipment to Yugoslavia, wishes to inform him that the Government of Venezuela has adopted the measures necessary for the implementation of that resolution.

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UNITED
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Security Council

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S/23574
11 February 1992

ORIGINAL: ENGLISH

REPORT BY THE SECRETARY-GENERAL PURSUANT TO PARAGRAPH 4 OF SECURITY COUNCIL RESOLUTION 731 (1992)

1. This report is being submitted pursuant to paragraph 4 of Security Council resolution 731 (1992), which requested the Secretary-General "to seek the cooperation of the Libyan Government to provide a full and effective response" to the requests referred to in that resolution.

2. Following consultations with the Libyan authorities, the Secretary-General sent Under-Secretary-General Vasiliy Safronchuk as his Special Envoy to Libya on 25 January 1992. The next day, Mr. Safronchuk called on the Libyan leader, Colonel Qaddafi, and delivered to him a personal message from the Secretary-General together with the text of resolution 731 and the related records of the Security Council. In his message to Colonel Qaddafi, the Secretary-General noted that he was encouraged by the assurances given to him by Minister Jadalla Belgasem El-Talhi that Libya was ready to cooperate with him. Further, while expressing the earnest hope that the matter in question could be resolved quickly so that peace could prevail, the Secretary-General emphasized that he was acting under the terms of paragraph 4 of resolution 731 and not as a mediator between the Security Council and the Libyan authorities.

3. In responding, Colonel Qaddafi asked the Special Envoy to reiterate to the Secretary-General his readiness to cooperate with him. Following receipt of the charges against two Libyan nationals, Colonel Qaddafi stated that the Libyan authorities had immediately started legal proceedings against them and appointed a judge to try them. He added that the two Libyan nationals had hired lawyers to represent them. Colonel Qaddafi said that the Libyan judges would require further information and that this should be provided by the Governments of the United States and the United Kingdom. He further suggested that if those two Governments were dissatisfied with the Libyan judges, then they should send their own judges. With specific reference to the requests contained in resolution 731 (1992), Colonel Qaddafi stated that he could not take any action which would contravene the legal system of Libya. He suggested, however, that the Secretary-General invite to Libya judges from the United States, the United Kingdom and France, as well as representatives of the League of Arab States, the Organization of African Unity and the

Organization of the Islamic Conference to observe a trial in the event that the Libyan judges decided to try the two Libyan nationals.

4. After careful consideration of this response, the Secretary-General on 30 January 1992 once again received the Permanent Representative of Libya in New York and informed him that he would now need to report to the Security Council. The Permanent Representative indicated that he would like to have a further discussion with his leadership. He proposed to the Secretary-General to allow him five to six days during which he would fly to Tripoli and consult with his leadership on its final position. Upon returning from Tripoli, the Permanent Representative met the Secretary-General on 11 February and indicated that he was mandated by his leadership to convey the following reply:

> (1) Libya had decided to accept "the French demands since they were in conformity with international law and did not infringe upon the sovereignty of Libya". Libya requested, therefore, that the Secretary-General inform the French Government of that decision. The Libyan authorities further requested that the Secretary-General either take the initiative of setting up a mechanism for the implementation of this aspect of the resolution or ask France and Libya to negotiate such a mechanism among themselves.
>
> (2) As far as resolution 731 as a whole was concerned, Libya was ready to cooperate fully with the Security Council and with the Secretary-General "in the light of the statements made in the Security Council and in a way that would not infringe upon State sovereignty nor violate the Charter of the United Nations and principles of international law". It was thus his country's view that "a mechanism should be created for the implementation of resolution 731 and, therefore, Libya invited the Secretary-General to create such a mechanism or to call upon the parties concerned to discuss among themselves and eventually agree on the setting up of the mechanism in accordance with the spirit of resolution 731".

5. The Secretary-General explained to the Ambassador that his own role under resolution 731 was determined by the provisions of paragraph 4 of that resolution. He added, however, that he would inform the Security Council fully of the position of the Libyan authorities.

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Security Council

Distr.
GENERAL

S/23575
12 February 1992

ORIGINAL: ENGLISH

LETTER DATED 11 FEBRUARY 1992 FROM THE CHARGE D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF THE SUDAN TO THE UNITED NATIONS
ADDRESSED TO THE SECRETARY-GENERAL

Pursuant to paragraphs 5 and 7 of Security Council resolution 724 (1991), I have the honour to inform you that the Government of the Sudan neither produces nor exports weapons and military equipment to Yugoslavia. The Government of the Sudan undertakes to comply fully with the relevant provisions of Security Council resolution 713 (1991).

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Haidar HASSAN
Chargé d'affaires a.i.

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